

**TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT**  
(Under 37 CFR 1.97(b) or 1.97(c))

Docket No.  
**KRO-10402/03**

In Re Application Of: **Hofers et al.**

Application No.

**10/531,827**

Filing Date

**4/18/2005**

Examiner

Customer No.

**25006**

Group Art Unit

**3611**

Confirmation No.

**3750**

Title: **MOTOR VEHICLE WITH A CONVERTIBLE ROOF**

Address to:

**Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450**

**37 CFR 1.97(b)**

1. ☒ The Information Disclosure Statement submitted herewith is being filed within three months of the filing of a national application other than a continued prosecution application under 37 CFR 1.53(d); within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application; before the mailing of a first Office Action on the merits, or before the mailing of a first Office Action after the filing of a request for continued examination under 37 CFR 1.114.

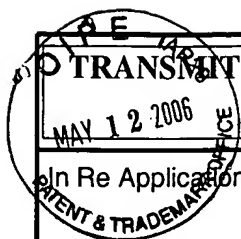
**37 CFR 1.97(c)**

2. ☐ The Information Disclosure Statement submitted herewith is being filed after the period specified in 37 CFR 1.97(b), provided that the Information Disclosure Statement is filed before the mailing date of a Final Action under 37 CFR 1.113, a Notice of Allowance under 37 CFR 1.311, or an Action that otherwise closes prosecution in the application, and is accompanied by one of:

☐ the statement specified in 37 CFR 1.97(e);

**OR**

☒ the fee set forth in 37 CFR 1.17(p).



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10/531,827	4/18/2005		25006	3611	3750

Title: **MOTOR VEHICLE WITH A CONVERTIBLE ROOF**

**Payment of Fee**

(Only complete if Applicant elects to pay the fee set forth in 37 CFR 1.17(p))

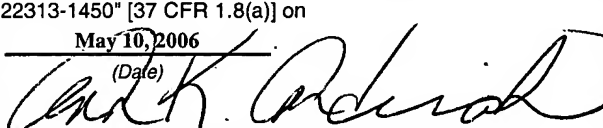
- ☐ A check in the amount of \_\_\_\_\_ is attached.
- ☒ The Director is hereby authorized to charge and credit Deposit Account No. 07-1180 as described below.
- ☐ Charge the amount of \_\_\_\_\_
- ☐ Credit any overpayment.
- ☒ Charge any additional fee required.
- ☐ Payment by credit card. Form PTO-2038 is attached.

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

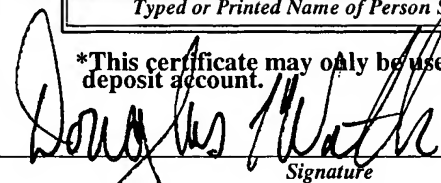
**Certificate of Transmission by Facsimile\***

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**Certificate of Mailing by First Class Mail**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on
<u>May 10, 2006</u> (Date)
 Signature of Person Mailing Correspondence
Ann Andrusiak Typed or Printed Name of Person Mailing Certificate

**\*This certificate may only be used if paying by deposit account.**

  
\_\_\_\_\_  
Signature

Dated: **May 10, 2006**

**Douglas L. Wathen (Reg. No. 41,369)**  
**Gifford, Krass, Groh, Sprinkle, Anderson**  
**& Citkowski, P.C.**  
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**Fax: (734) 913-6007**

cc:



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Hofers et al.

Attorney Docket No. KRO-10402/36

Serial No.: 10/531,827

Group Art Unit: 3611

Filed: April 18, 2005

Examiner:

For: MOTOR VEHICLE WITH A CONVERTIBLE ROOF

**INFORMATION DISCLOSURE STATEMENT**

Mail Stop Amendment  
Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In compliance with the duty of disclosure under 37 C.F.R. §1.56, it is respectfully requested that this Information Disclosure Statement be entered and the references listed on attached Form PTO-1449 be considered by the Examiner and made of record.

In accordance with 37 C.F.R. §1.97(g), this Information Disclosure Statement is not to be construed as a representation that a search has been made or that no other possible material information as defined in 37 C.F.R. §1.56(a) exists. In accordance with 37 C.F.R. §1.97(h) this Information Disclosure Statement is not to be construed to be an admission that the information cited in the statement is, or is considered to be, material to patentability as defined in §1.56(b).

**The Examiner's attention is drawn particularly to the following:**

1. A copy of a German Office Action, and its English translation, is attached to cited reference DE 198 45 820 A1. This reference was cited in a corresponding German Office Action for the priority document, German patent application 102 48 761. The German Office Examiner considered column 1, paragraphs 2 and 3 as most relevant and an English translation of those paragraphs is also attached.

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Attorney Docket No. KRO-10402/36

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2. Please note that an English Abstract is attached to each foreign patent reference cited in this Information Disclosure Statement for the convenience of the Examiner.

Respectfully submitted,

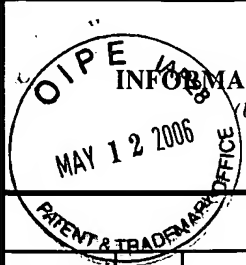
By



Douglas L. Wathen

Reg. No. 41,369

Date: May 10, 2006

 <b>INFORMATION DISCLOSURE CITATION</b> <i>(Use several sheets if necessary)</i>				Docket Number (Optional) <b>KRO-10402/36</b>		Application Number <b>10/531,827</b>		
				Applicant(s) <b>Hofers et al.</b>				
				Filing Date <b>April 18, 2005</b>		Group Art Unit <b>3611</b>		
<b>U.S. PATENT DOCUMENTS</b>								
*EXAMINER INITIAL	REF	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE	
		5,167,296	12/1/1992	Schreier et al.				
		6,253,602	7/3/2001	Uchida				
		6,863,334	1/9/2003	Dangl et al.				
<b>U.S. PATENT APPLICATION PUBLICATIONS</b>								
*EXAMINER INITIAL	REF	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE	
<b>FOREIGN PATENT DOCUMENTS</b>								
	REF	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	Translation	
							YES	NO
		EP 0 550 952 A1	7/14/93	Europe			✓	
		DE 100 09 692 A1	2/8/2001	Gleich			✓	
		DE 100 39 978 A1	5/17/2001	Gleich			✓	
		EP 1 180 443 A1	2/20/2002	Fin			✓	
		DE 198 45 820 A1	4/6/2000	Seeberger et al.			✓	
<b>OTHER DOCUMENTS</b> <i>(Including Author, Title, Date, Pertinent Pages, Etc.)</i>								
EXAMINER					DATE CONSIDERED			

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP Section 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<b>INFORMATION DISCLOSURE CITATION</b> <i>(Use several sheets if necessary)</i>				ATTY DOCKET NO. <b>KRO-10402/36</b>		APPLICATION NO. <b>10/531,827</b>	
				APPLICANT(S) <b>Hofers et al.</b>			
				FILING DATE <b>April 18, 2005</b>		GROUP ART UNIT <b>3611</b>	

OIPE IAP28  
 MAY 12 2005  
 PATENT & TRADEMARK OFFICE

U.S. PATENT DOCUMENTS							
*EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE	

U.S. PATENT APPLICATION PUBLICATIONS							
*EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE	

FOREIGN PATENT DOCUMENTS								
		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
							YES	NO
		DE 40 20 351 A1	1/9/1992	Germany			✓	

OTHER DOCUMENTS <i>(Including Author, Title, Date, Pertinent Pages, Etc.)</i>			

EXAMINER	DATE CONSIDERED
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